

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOHN (“JACK”) YANG,

Plaintiff,

v.

THE BANK OF NEW YORK MELLON
CORPORATION, ALCENTRA NY, LLC,
and ALCENTRA LIMITED,

Defendants.

Case No. 1:20-cv-03179-AJN

Electronically Filed

***ORAL ARGUMENT
REQUESTED***

**DEFENDANTS’ NOTICE OF MOTION
TO DISMISS PLAINTIFF’S FIRST AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants’ Motion to Dismiss the First Amended Complaint, and upon all prior papers and proceedings in this action, Defendants The Bank of New York Mellon Corporation, Alcentra NY, LLC, and Alcentra Limited will move this Court before the Honorable Alison J. Nathan, United States District Judge, at the United States Courthouse located at 40 Foley Square, Courtroom 906, New York, New York 10007, at a date and time to be determined by the Court, for an order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing with prejudice all claims alleged against Defendants in the First Amended Complaint, and for such other further relief as this Court may deem just and proper.

Dated: July 27, 2020

Respectfully submitted,

/s/ Michael L. Banks

Michael L. Banks

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CERTIFICATE OF ELECTRONIC FILING AND SERVICE

I hereby certify that on July 27, 2020, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ W. John Lee

W. John Lee